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4 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
5 **STATE OF WASHINGTON**

6
7 **IN THE MATTER OF ENFORCEMENT**
8 **ACTION AGAINST:**

NO. 00-878

9 **VANCOUVER SCHOOL DISTRICT,**
10 **Respondent.**
11
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FINAL ORDER

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14 The Washington State Public Disclosure Commission (Commission) conducted an
15 enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on
16 December 12, 2000.

17 The Commission conducted the hearing to consider the stipulation between the parties as
18 to facts, violation and penalty, and to consider whether violations occurred and whether the
19 recommended penalty should be assessed.

20 The Commission held the hearing at Evergreen Plaza Building, Room 206, 711 Capitol
21 Way South, in Olympia, Washington. The Respondent appeared for the hearing through Joni R.
22 Kerr, Attorney. The Staff appeared through Neil Gorrell, Assistant Attorney General.

23 The Commission heard oral argument. The Commission considered the Report of
24 Investigation, Notice of Administrative Charges and the Stipulation as to Facts, Violation and
25 Penalty.
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1 The parties stipulated that the Notice of Administrative Charges issued on August 4, 2000
2 contained accurate statements of fact. The parties further stipulated to additional facts consistent
3 with the expected testimony of Respondent's witnesses.

4 Based on this record, THE COMMISSION ACCEPTS THE STIPULATED FACTS.
5 THE COMMISSION ORDERS that the Respondent is in violation of RCW 42.17.680(4).

6 THE COMMISSION FURTHER ASSESSES a total civil penalty of \$1,000.00 against
7 the Respondent. The Commission suspends \$500.00 of this penalty, unless the Respondent is
8 found to have violated any further provision of chapter 42.17.680.

9 The Respondent shall pay the non-suspended portion of the penalty within 90 days from
10 the date this order is entered.

11 Any party may ask the Commission to reconsider this final order. Parties must place their
12 requests for reconsideration in writing, include the specific grounds or reasons for the request,
13 and deliver the request to the Public Disclosure Commission Offices within 10 days of the date
14 that the Commission serves this order upon the party.

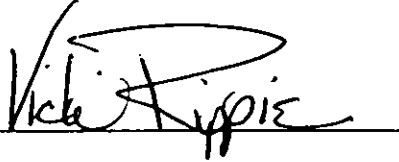
15 Under RCW 42.17.395(5), a final order issued by the Public Disclosure Commission is
16 subject to judicial review under the Administrative Procedures Act, chapter 34.05 RCW. Under
17 RCW 34.05.542(2), a petition for judicial review must be filed with the superior court in
18 Thurston County or the petitioner's county of residence or principal place of business. The
19 petition for judicial review must be served on the Public Disclosure Commission and any other
20 parties within 30 days of the date that the Public Disclosure Commission serves this final order
21 on the parties. If reconsideration is properly sought, the petition for judicial review must be
22 served on the Public Disclosure Commission and any other parties within 30 days after the
23 Commission acts on the petition for reconsideration. Pursuant to RCW 34.05.470(5), the
24 Respondent is not required to ask the Public Disclosure Commission to reconsider the final order
25 before seeking judicial review by a superior court.

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1 The Commission will seek to enforce this final order in superior court under RCW
2 42.17.395-397, and recover legal costs and attorney's fees, if the penalty remains unpaid and no
3 petition for judicial review has been filed under chapter 34.05 RCW.

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5 DATED THIS 13th day of December, 2000.

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7 FOR THE COMMISSION:

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10 VICKI RIPPIE, Executive Director
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